IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

OP.No. 10884 of 2003(U)

PETITIONER:

PARAMBATHU HAMZA S/O. MOHAMMEDKUTTY,
PONMUNDAM AMSOM, CHILAVIL DESOM, TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI.

RESPONDENTS:
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1. **PUTHUKULANGAL SALAM, S/O. MOIDU HAJI,**
   PONMUNDAM AMSOM, CHILAVIL DESOM, TIRUR TALUK
   MALAPPURAM DISTRICT.

2. **THE ACCOMMODATION CONTROLLER**
   (TAHSILDAR), TIRUR, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI. R. LAKSHMI NARAYAN,
ADV. SRI.C.KHALID,
ADV. SRI.N.GOPINATHA PANICKER.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 18684/2003 IN O.P. NO. 10884/2003

DISMISSED

SD/- K. BALAKRISHNAN NAIR, JUDGE

07/08/2007. **SD/- HARUN-UL-RASHID, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER OF THE ACOMMODATION CONTROLLER IN THE APPLICATION B4-11692/2001 DTD. 09/12/2002.

EXT.P.2: COPY OF THE PETITION DTD. 06/12/2001 FILED BY R.1. BEFORE THE R.2.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

O.P. No. 10884 of 2003-U

Dated 7th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner challenges Ext.P1 order of the Accommodation Controller. It is common case that the said order is appealable under the provisions of the Kerala Buildings (Lease and Rent Control) Act. Therefore, it is unnecessary to consider the Original Petition on merits. Accordingly, the O.P is dismissed without prejudice to the contentions of the petitioner and his right to move the statutory appellate authority. The period this Original Petition was pending before this Court shall be excluded while computing the period of limitation.

K. BALAKRISHNAN NAIR,JUDGE

HARUN-UL-RASHID,JUDGE.

nm.

K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

O.P. NO.10884/2003-U

JUDGMENT

7.8.2007.